

PARR BROWN
GEE & LOVELESS

March 17, 2010

VIA ELECTRONIC FILING

Honorable Steven M. Gold
Chief Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Johnson & Johnson and LifeScan, Inc. v. South Pointe Wholesale, Inc., et al.; Case No. 08 Civ. 1297

Dear Judge Gold:

Our firm represents Tim Farnes and Tyler Farnes in the above-referenced matter. We understand that there is a conference set for March 24, 2010, and we wish to join in a filing made (or to be made) by MedSource today.

Tim Farnes and Tyler Farnes are both Utah residents. They are operating a hospice business in Utah, and it would be a hardship on them to travel to New York for their depositions, particularly at their own expense. We anticipate that their depositions would be of little or no interest to most if not all of the other Defendants in this case, and note that depositions of other Defendants have taken place in jurisdictions other than New York.

For these reasons, we respectfully request pursuant to Rule 26 and the cases cited by MedSource, that Tim Farnes and Tyler Farnes be deposed in Salt Lake City, Utah.

We also request permission to participate by telephone in the status conference scheduled for March 24, 2010 at 2:00 p.m.

Thank you for your consideration of these requests.

Sincerely,



Jonathan O. Hafen